

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Laurence J. Skelly & Ellen Burke,
individually and on behalf of all others similarly
situated,

Plaintiffs,

-against-

Insurance Services Office Inc. & The Pension
Plan For Insurance Organizations,
Defendants.

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USDC SDNY

DOCUMENT

ELECTRONICALLY FILED 09/16/2014

12 CIVIL 8889 (AKH)

JUDGMENT

Defendant Insurance Services Office Inc. having moved to dismiss (Doc. #38) and Defendant The Pension Plan for Insurance Organizations also having moved to dismiss (Doc. #43) both pursuant to Fed. R. Civ. P. 12(b)(6), and the matter having come before the Honorable Alvin K. Hellerstein, United States District Judge, and the Court, on September 12, 2014, having rendered its Order Granting Motion To Dismiss (Doc.#50) the § 204(h) notice provided in November 2011, the 2002 SPD, and the Plaintiffs' annual benefits statements from 2002 provided ample, clear, and sufficient notice of the 2002 Amendment to the Plan. Plaintiffs' claims concerning the 2002 Amendment therefore began accruing in November 2001 and under either the three or six year statute of limitations applicable here, Plaintiffs' claims are time barred. Defendants' motion to dismiss the complaint is granted and the Clerk shall mark the motions (Docs. Nos. 38 &43) terminated and the case closed, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order Granting Motion To Dismiss dated September 15, 2014, the § 204(h) notice provided in November 2001, the 2002 SPD, and the Plaintiffs' annual benefits statements from 2002 forward

ample, clear, and sufficient notice of the 2002 Amendment to the Plan. Plaintiffs' claims concerning the 2002 Amendment therefore began accruing in November 2001 and under either the three or six year statute of limitations applicable here, Plaintiffs' claims are time barred. Defendants' motion to dismiss the Complaint is granted; accordingly, the case is closed.

Dated: New York, New York
September 16, 2014

RUBY J. KRAJICK

Clerk of Court

BY:

K. Mango

Deputy Clerk